

## DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

my residence, post office address and citizenship are as stated below next to my name;

I verily believe I am an original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **Methods and Apparatus for Determining a Position of a Rotating Optical Element in a Bar Code Scanner** (Docket No. 9346), the specification of which

  X   is attached hereto.

       was filed on \_\_\_\_\_ as  
Application Serial No. \_\_\_\_\_  
and was amended on \_\_\_\_\_.  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed: **None**

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application: **None**

09346-0104

And I hereby appoint:

Paul W. Martin of Dayton, Ohio, Registration No. 34870,  
and Douglas S. Foote of Dayton, Ohio, Registration No. 31013,  
and James M. Stover of Dayton, Ohio, Registration No. 32759,  
and Michael Chan of Dayton, Ohio, Registration No. 33663,

my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. I hereby expressly waive my right to revoke the Power of Attorney granted above. Address all telephone calls to Paul W. Martin at telephone number (937) 445-2990. Address all correspondence to Paul W. Martin, NCR Corporation, Intellectual Property Section, Law Department, WHQ-5E, 1700 S. Patterson Blvd., Dayton, OH 45479.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of inventor Joseph M. Lindacher  
Inventor's signature Joseph M. Lindacher Date: 6/7/01  
Residence 1115 Eagle Pointe Drive, Lawrenceville, GA 30044  
Citizenship United States of America  
Post Office Address Same as above

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. 9346

Application of

Joseph Lindacher

Serial No. Not As Yet Assigned

Filed:

For: **METHODS AND APPARATUS FOR DETERMINING A POSITION OF A  
ROTATING OPTICAL ELEMENT IN A BAR CODE SCANNER**

Assistant Commissioner for Patents

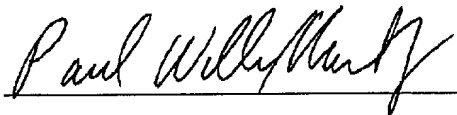
Washington, D.C. 20231

Sir:

**ASSOCIATE POWER OF ATTORNEY**

Please recognize Peter H. Priest, Registration No. 30210, of Chapel Hill, North Carolina, as my associate attorney in the prosecution of the above-identified patent application.

All communications respecting the subject patent application are to be addressed to Paul W. Martin, NCR Corporation, Law Department, 1700 S. Patterson Blvd., Dayton, Ohio 45479.



Paul W. Martin  
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